

REMARKS

The present application has been reviewed in light of the Office Action dated June 11, 2003. Claims 1-18 are presented for examination. Claims 1, 10, and 18, the only claims in independent form, have been amended to define Applicant's invention more clearly. Favorable reconsideration is requested.

The Office Action states that Claims 1-16 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,608,786 (Gordon); and that Claim 17 is rejected under § 103(a) as being unpatentable over Gordon in view of U.S. Patent No. 5,521,719 (Yamada). Applicant respectfully traverses the rejections and submits that independent Claims 1, 10, and 18, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

An aspect of the present invention set forth in Claim 1 is directed to a communication apparatus connected to a communication network. The apparatus includes destination designating means, input means, facsimile communication means, encryption means, electronic-mail communication means, communication designating means, security designating means, and control means.

The destination designating means is adapted to designate a destination apparatus. The input means is adapted to input transmission information, which is to be transmitted to the designated destination apparatus, without using the communication network. The facsimile communication means is adapted to transmit the inputted transmission information to a destination apparatus in accordance with facsimile communication specifications.

The encryption means is adapted to encrypt the inputted transmission information before the transmission information is transmitted through the communication network, in order to maintain confidentiality of the transmission information. The electronic-mail communication means is adapted to transmit the inputted transmission information or the encrypted transmission information to a destination apparatus in accordance with electronic-mail specifications. The communication designating means is adapted to cause transmission of the transmission information by selecting either the facsimile communication means or the electronic-mail communication means. The security designating means is adapted to designate whether the transmission information is confidential information.

The control means is adapted to control the facsimile communication means, the encryption means, and the electronic-mail means. If the transmission information has been designated as being confidential information by the security designating means, the control means controls the facsimile communication means to transmit the transmission information to the destination apparatus by facsimile transmission through the communication network, when the facsimile communication means has been designated by the communication designating means, and controls the electronic-mail communication means to send the encrypted transmission information to the destination apparatus by electronic mail through the communication network, when the electronic-mail communication means has been designated by the communication designating means.

One of the notable features of Claim 1 is that the communication apparatus maintains security of the transmission information, which is communicated to a destination

apparatus via the communication network. More specifically, if the transmission information is designated to be confidential and is designated for transmission by the electronic-mail communication means, the transmission information is encrypted by the encryption means before being transmitted, in order to maintain its confidentiality. Further, the transmission information is inputted to the communication apparatus without use of the communication network. Support for Claim 1 is set forth in the specification at, for example, pages 6, 7, and 11.

Gordon relates to a messaging system that unifies voice mail, facsimile mail, and e-mail. As understood by Applicant, Gordon teaches that transmission information is encrypted in a UniPost Access Node 6 (see Fig. 1). Because the UniPost Access Node 6 receives the transmission information through a public switched telephone network 10, which is a communication network, and subsequently encrypts the received transmission information, the security of the transmission information cannot be maintained until the UniPost Access Node 6 receives it. Therefore, the Gordon system cannot provide as high a level of security to transmission information as the communication apparatus of Claim 1.

Nothing has been found in Gordon that is believed to teach or suggest a communication apparatus that includes "input means for inputting transmission information to be transmitted to the destination apparatus designated by said destination designating means without using the communication network," and "encryption means for encrypting the transmission information inputted by said input means without using the communication network, wherein the transmission information is encrypted before being transmitted through the communication network to maintain confidentiality of the transmission information," and "security designating

means for designating whether the transmission information is confidential information," and "control means for controlling said facsimile communication means, said encryption means, and said electronic-mail means such that, if the transmission information has been designated as being confidential information by said security designating means, said facsimile communication means transmits the transmission information to the destination apparatus by facsimile transmission through the communication network, when said facsimile communication means has been designated by said communication designating means, and said electronic-mail communication means sends the encrypted transmission information to the destination apparatus by electronic mail through the communication network, when said electronic-mail communication means has been designated by said communication designating means," as recited in Claim 1.

According to Claim 1, the communication apparatus inputs the transmission information without use of the communication network, so there are no concerns regarding security of the transmission information on the communication network when the transmission information is inputted. In contrast, the Gordon system inputs transmission information to the UniPost Access Node 6 via the public switched telephone network 10, which makes the transmission information vulnerable to a security breach during inputting.

Further, if the transmission information has been designated as confidential information by the security designating means, the control means causes the inputted transmission information to be transmitted to the destination apparatus by facsimile transmission through the communication network or causes the encrypted transmission information to be

transmitted to the destination apparatus as electronic mail through the communication network, based on a designation by the communication designating means. This ensures the confidentiality of the transmission information, because it is either transmitted as a facsimile communication or it is encrypted and then transmitted as electronic mail.

Accordingly, Applicant submits that Claim 1 is patentable over Gordon and respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a). Independent Claims 10 and 18 include a feature similar to that discussed above, in which transmission information is inputted without using a communication network, and in which confidential transmission information is transmitted as a facsimile communication or is encrypted and then transmitted as electronic mail. Therefore, those claims also are believed to be patentable for at least the same reasons as discussed above.

The other rejected claims in this application depend from one or another of the independent claims discussed above. Therefore, those claims are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

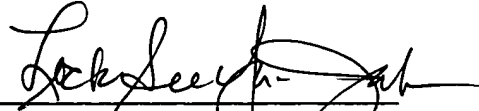
In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for the present Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the

Commissioner is authorized to charge the requisite petition fee to Deposit Account 06-1205.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



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